

These are the minutes of the Regular Session of the City of Adams, WI held on February 21, 2011 in the City Municipal Building.

Meeting was called to order by Mayor Williams. On roll call were Alderpersons Baumgartner, Jensen, Manthey, Newberg, Scott, Suhr, Mayor Williams, Attorney Pollex, and Chief Hanson. Administrator Ellisor and Street Superintendent Mead were excused.

**Motion by Manthey, second by Jensen to approve the minutes of the February 7, 2011 meeting as printed. Roll call vote, all voted aye.**

Petitions and Communications: None

Report of Standing Committees:

**Planning Commission** Nick Segina of WDKM FM presented request for a two acre parcel of City owned property located immediately west and adjacent to the radio station on the end of West Center Street. Mr. Segina described his plans to develop an \$800,000 solar and wind generating system on the property. It was acknowledged that the energy plant systems and structures would be eligible for property tax exemption. Mayor Williams proposed a property sale and Payment in Lieu of Tax (PILOT) amount for the Commission's consideration. Discussion ensued. There was general consensus of Planning Commission members that offering the two acre parcel for purchase at an amount of \$2,000 combined with an annual PILOT of \$1,000 would be deemed acceptable. It was noted that a reversion clause would be part of the sale agreement should the development not be completed as proposed.

Mr. Segina suggested that solar panels would be a good idea for Friendship Hardwoods to install on the vacant property in front of their facility. The City Administrator commented that solar panels would not be a practical or optimal use of the referenced property given the extensive public investment into infrastructure and utilities servicing that site. Mr. Segina emphatically suggested the City keep their property with his well wishes and abruptly withdrew his earlier request for the two acre parcel and exited the meeting.

**Public Safety Committee** Motions made to approve the Building Inspector's Report.

An arrest of an employee was made in Subway theft

National take back day will be April 30, 2011

Meeting held with the hospital in regards to officers assisting and staying with persons brought into hospital, how long they will stay and then procedure

Should have candidate through all investigating checks for the open position in the police department.

Motions were made to approve the Police Report.

Reviewed annual police report. The report was reviewed.

**Development Authority** Mayor Williams explained that during the fundraising effort for the Community Center approximately nine years ago, Harold Henning had been contacted regarding a possible donation. The Community Development Authority (CDA) served as the City's designated body to coordinate the Community Center's development and related fundraising efforts. The Mayor cited the Community Development Authority's role in establishing the Community Center as the reason Mr. Henning willed funds to the CDA.

In the course of the Community Center's development there was a fundraising shortfall. The City committed approximately \$119,000 from the Landfill Closure Fund to make up for the project shortfall. During that same period, the City entered into an agreement with the County that provided for a Payment in Lieu of Tax (PILOT) to the City. The PILOT terms were linked with a loan package for the Community Center and PILOT funds would be applied to refund the Landfill Closure account over a 20 year period. County officials recognized that if the original

loan was paid off or refinanced that there would be no further PILOT obligation. The County refinanced the original loan and the Landfill Closure Fund was never reimbursed. For this reason the Mayor stressed that the estate funds connected to the CDA should rightfully be directed to restore the City's Landfill Closure Fund.

It was further stated that the Landfill Closure Fund is and has been borrowed against for various City Capital Projects.

Motions were made to divert funds from the Harold Henning Estate reserved for the Community Development Authority to the City's Landfill Closure Fund.

### **Fire District**

Motions were made to approve the Finance Report.

A discussion was held regarding drug testing and to contact the Towns Association for input.

The fire protection agreement, dumpster issue and the phone bill were all discussed however no action was taken.

Chief's Report:

There were 6 calls.

A discussion was held on the budget carry over and mutual aid.

### **Public Works Committee**

In Petitions and Communications Street Superintendent Mead reported that he was contacted by the new Safety Inspector from the Department of Commerce. He stated that the site visit went well but there will need to be some report and training efforts requiring follow up.

Mayor Williams commented that with the government planned funding cuts the City will need to plan early on how to adjust to the severe reductions.

Materials for the foot bridge at Burt Morris Park have been ordered, additional materials will be needed to connect the foot paths with the bridge.

Administrator Ellisor met with the SDWLP representative. He explained that the added work is funded from remaining loan proceeds. He also noted that some required rehab work may not be eligible for the loan dollars but will see if they can be included.

Administrator Ellisor reported that the City is waiting for a reply relating to the South Business Park from the EDA office on the design/spec checklist items and hope to be ready for spring bidding.

Street Superintendent Mead reported that the City was required to obtain stamped engineering plans for the structure walls and footings for the Salt Storage Shed. Still waiting for these plans from the company. Planning on Spring Construction.

The committee reviewed maps of available property in the northwest area of the City for possible Drainage/Retention areas. It was recommended that additional review of the property area be tabled for further review until the next meeting.

**Personnel Committee** A discussion was held regarding the hiring of the full time Police Officer. Chief Hanson reported that Thomas Lucas successfully completed his psychological, physical and background investigation. Recommendations were made to Approve Hiring Thomas Lucas as the Full Time Police Officer.

### **Report of City Officers:**

**Mayor Williams:** Reported that we are a little behind on the streets due to not starting on Sunday. On the other hand, we have to watch our money. We are pretty close to eighty inches of snow this year and will be out at 2:00 a.m. for Main Street.

The property mentioned in the Public Works report, he would like the whole Council to be concerned about that. We do know now that the owner is willing to split some of the property and it is possible that a twenty acre piece is available, between Lincoln and Park Streets. That

would take care of the City's drainage area in the northern section for many years. The thought is for \$1,000 an acre, if we can get that because he doesn't have much chance of selling it, part of it is in the City and across the street from the dump. Which makes it not very easy to sell, particularly from a water stand point, and there is no water or sewer to it and would be costly to install it. He wants Council to know what is being looked at, and it will be up to the Council. Bob is involved in closing up a lot of different areas, and there has been a grievance that is being looked into. Chief Hanson stated that all that needed to be done was the signing of changes made and the contract changes need to be signed by the Mayor and Alderperson Manthey.

**Attorney Pollex:** Reported he is working with Bob on the Railroad situation. He had a busy trial week last week, there were three contested trials, that Chief needs to pass along to his Officers. He stated he appreciates their flexibility to come in on their day off, or last minute. He has been contacted by a couple individuals that were aware of the City's activities that are targeted for razing. He would like to meet with Public Works or Mr. Ellisor to discuss the options that are out there. So the City doesn't put a \$20,000 raze bill on somebody's taxes, that are not going to pay them.

**Chief Hanson:** Reported the new squad should arrive the week of March 7 and he has contacted a technician for the switch over. He will introduce Thomas Lucas, the new Officer later on the agenda.

**New and Unfinished Business:**

Mayor Williams stated we discussed this over the year and it was a general consensus of the Council that we would not contribute to Channel 4 unless other entities were contributing. He spoke with the School Superintendent and he stated that no other entity is interested. That in fact, the largest being Friendship said that we don't watch it and aren't giving you a penny. So that is why we are canceling out.

**Motion by Manthey second by Jensen to reject the Cancellation of Channel 4 Franchise Payment to Adams-Friendship School District.** Manthey stated over the past year we all are aware of your (Mayor) feelings on canceling Channel 4 payment to the school from our franchise funds. She stated her feelings are just because other Townships or the Village isn't supporting Channel 4 that would be for the wrong reason that the City would stop supporting the School. She stated that the City receives approximately \$9,200 a year from Charter from Franchise fees and we donate \$3,500 to the school, and that this class is a learning experience for the children. Manthey questioned Mrs. Kuchta if the kids get credit for this class.

Mrs. Kuchta stated it is a one credit class and runs one semester, the kids are learning a lot right now. The students have actually increased what they previously were doing, they continue the news casts on Channel 4 but they are also doing the news casts in the school building everyday day, due to the equipment that they have. Mrs. Kuchta also stated that they are going to be receiving funding from Marquette-Adams Telephone Cooperative intended for a \$900 unit.

Suhr questioned the amount the City receives and from where. Manthey stated we received \$9,200 from Charter Communications for our franchise fees and donate \$3,500 to the school, and the remaining funds go to into the City's General Fund. Mayor Williams stated we will receive that for some time yet. Not saying it will last forever and you will address this again because each dish that goes up reduces the fees we receive.

Newberg stated that this is not only helping the kids, it would be wrong to take something away from our citizens that have cable and do watch the Council meetings or read any City information. She stated that if we were not receiving the franchise payment, she would not be in favor of it coming out of the General Fund Budget.

Baumgartner questioned if we looked into getting more involved with the other areas and was this discussed recently or last year. Mayor Williams stated that other municipalities have been asked and we started discussing it last year.

*Attorney Pollex clarified that this motion, being a negative motion, is if you approve the motion, you are rejecting the recommendation to cancel. If you don't want to stop the money, vote yes, and if you do want to stop the money, vote no. Roll call vote, all voted aye, motion passed.*

**Motion by Newberg, second by Suhr to Approve Payment of Bills. Roll call vote, all voted aye.**

Mayor Williams stated he finds the fees for the legal service agreement acceptable, and asked Attorney Pollex if he had any comments that he would like to incorporate. Attorney Pollex stated that he tried to incorporate and address any of the concerns that were raised at the previous Council regarding attendance, as to when or when not it would be required to attend the meetings. Also establish what is exactly included as part of his service fees and further document that unlike the old contract there was no set retainer it was strictly by what I do, asides from the five minute calls that he receives from the Chief, the Inspector, Dave or Bob. When I pick up the phone for thirty seconds the City does not get a bill for that.

**Motion by Suhr, second by Newberg to Remove the Legal Service Agreement from the Table. Roll call vote, all voted aye.** Mayor Williams stated we need a motion to accept the legal service agreement for 2011.

**Motion by Baumgartner, second by Jensen to accept the Attorney - Client Contract for 2011.** Clerk Winters asked for clarification on the motion. She asked if we are extending the contract through 2011, or if it is for the duration stated in the contract under item 4 Termination - states April at the organizational meeting after the next election for Mayor. Attorney Pollex stated yes. Mayor Williams stated it will be for two months. **Roll call vote, all voted aye.**

Chief Hanson introduced Thomas Lucas. He stated he went through all the testing procedures, several interviews, successfully completed his background check, and psychological. Prior to today, he has come in on his own time and started to ride along with the other Officers to get more familiarized with the City.

**Motion by Manthey, second by Scott to Hire Thomas Lucas for the Full Time Police Officer. Roll call vote, all voted aye.**

Clerk Winters administered the Official Oath of Office to Thomas Lucas.

**Motion by Newberg, second by Jensen to Adjourn. By voice vote, all voted aye.**

*Meeting adjourned at 6:34 p.m.*

Respectfully Submitted,

Janet L. Winters, WCMC  
Clerk/Treasurer